

**Notice of Allowability**

Application No.

10/675,347

Examiner

Freda A. Nelson

Applicant(s)

MAYER ET AL.

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed.
2. ☒ The allowed claim(s) is/are 1-15.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

***Response to Amendment***

The amendment received on April 2, 2007 is acknowledged and entered. Claims 1-15 are currently pending.

The drawings filed on September 30, 2003 are accepted by the examiner.

**EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

**IN THE CLAIMS**

Claim 1 (Currently amended) A method for balancing a mail run comprised of a plurality of mail pieces assembled on an automated high speed mail production apparatus, the method comprising:

dividing the mail run into defined subsets;

accounting for a disposition of mail pieces processed in the mail production apparatus;

identifying gaps in the subsets wherein the disposition of one or more mail pieces is unaccounted for; and

stopping the mail production apparatus if a predetermined number of subsets include identified gaps.

***Allowable Subject Matter***

Claims 1-15 are allowed.

**The following is an examiner's statement of reasons for allowance:**

As per independent claim 1, the prior art of record, specifically Barrows et al. (US PG Pub. 2004/0122781), while disclosing a method for automatic balancing of mail processing accounts for an inserter system, do not disclose or fairly teach:

identifying gaps in the subsets wherein the disposition of one or more mail pieces is unaccounted for; and

stopping the mail production apparatus if a predetermined number of subsets include identified gaps.

As per independent claim 8, the prior art of record, specifically Barrows et al. Barrows (US PG Pub. 2004/0122781), while disclosing a method for automatic balancing of mail processing accounts for an inserter system, do not disclose or fairly teach:

while disclosing a method for automatic balancing of mail processing accounts for an inserter system, do not disclose or fairly teach:

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determining that a completed subset does not include identified gaps; and  
submitting the completed subset for delivery prior to finishing balancing for all  
subsets in the mail run.

As per independent claim 8, the prior art of record, specifically Barrows et al.  
Barrows (US PG Pub. 2004/0122781), while disclosing a method for automatic  
balancing of mail processing accounts for an inserter system, do not disclose or fairly  
teach:

identifying gaps in the subsets where the disposition of one or more mail pieces  
is unaccounted for;

providing a real-time indication of identified gaps during assembly of the mail run  
by the mail production apparatus; and

resolving the disposition of identified gaps during assembly of the mail run by the  
mail production apparatus; and

updating the accounting of mail piece dispositions based on the resolved gaps.

The NPL prior art of record, specifically, "PRC Endorses Mail Tracking Service",  
does not disclose or fairly teach:

identifying gaps in the subsets wherein the disposition of one or more mail pieces  
is unaccounted for; and

stopping the mail production apparatus if a predetermined number of subsets  
include identified gaps

The foreign prior art of record, specifically, WO 3047773A2, while disclosing a multiples detect apparatus and method, fails to disclose or fairly teach:

identifying gaps in the subsets wherein the disposition of one or more mail pieces is unaccounted for; and

stopping the mail production apparatus if a predetermined number of subsets include identified gaps.

The remaining dependent claims are considered allowable, as they are dependent and based off of an allowable independent claim.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

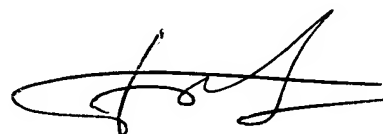
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Freda A. Nelson whose telephone number is (571) 272-7076. The examiner can normally be reached on Monday -Wednesday and Friday, 10:00 AM –6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

FAN 06/10/2007

A handwritten signature in black ink, appearing to read "Nedra Nelson". The signature is fluid and cursive, with the first name "Nedra" being more prominent than the last name "Nelson".A handwritten signature in black ink, appearing to read "Igor N. Borissov". The signature is stylized and cursive, with a large, sweeping initial "I" and "B".

IGOR N. BORISSOV  
PRIMARY EXAMINER